

November 20, 2009

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
November 20, 2009

I. OPENING OF MEETING AT 1:00 P.M. AT 400 W. MONROE STREET, SUITE 306,
SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 16, 2009

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR
MEETING HELD OCTOBER 16, 2009?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	159.....	9
Agriculture.....	465.....	17
Arts Council.....	20.....	2
Capitol Development Board	45.....	0
Central Management Services	1,466.....	117
Children and Family Services	3,084.....	48
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	447.....	67
Commerce Commission.....	72.....	0
Corrections.....	11,551.....	114
Criminal Justice Authority	58.....	6
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	9.....	1
Emergency Management Agency	98.....	6
Employment Security.....	1,976.....	24
Environmental Protection Agency	957.....	17
Financial & Professional Regulation	500.....	41
Gaming Board.....	81.....	7
Guardianship and Advocacy	112.....	7
Healthcare and Family Services.....	2,367.....	25
Historic Preservation Agency	238.....	12
Human Rights Commission	13.....	2
Human Rights Department	146.....	10
Human Services	13,859.....	76
Insurance.....	226.....	9
Investment Board.....	3.....	2
Juvenile Justice	1,236.....	20
Labor.....	81.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	18.....	2
Law Enforcement Training & Standards Bd.....	17.....	1
Medical District Commission	2.....	0
Military Affairs	124.....	3
Natural Resources	1,392.....	24
Pollution Control Board.....	19.....	2
Prisoner Review Board	20.....	0
Property Tax Appeal Board	20.....	1
Public Health.....	1,115.....	44
Racing Board	3.....	0
Revenue	2,045.....	63
State Fire Marshal	144.....	12
State Police	1,376.....	5
State Police Merit Board.....	6.....	1
State Retirement Systems	82.....	2
Transportation.....	2,339.....	0
Veterans' Affairs.....	1,200.....	7
Workers' Compensation Commission	171.....	9
TOTALS	49,386.....	825

B. Governing Rule – Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 1. The Governor, or
 2. A departmental director or assistant director appointed by the Governor, or
 3. A board or commission appointed by the Governor, or
 4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
 7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
 2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
 3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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C. Illinois Department of Public Health – Proposed Exemption (continued from October 16, 2009)

Position Number	40070-20-09-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Preparedness & Response
Functional Title	Division Chief for Disaster Planning & Readiness
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Sangamon County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Human Services – Proposed Exemption (continued from October 16, 2009)

Position Number	40070-10-76-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Mental Health
Functional Title	Deputy Director for Clinical Operations
Incumbent	Vacant
Supervisor	Director of Mental Health, who reports to the Assistant Secretary who in turn reports to the Secretary
Location	Sangamon County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Labor Relations Board – Proposed Exemption¹

Position Number	40070-50-18-100-20-01
Position Title	Senior Public Service Administrator
Functional Title	General Counsel
Incumbent	Vacant
Supervisor	Chairman and Board Members
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend the continued 4d(3) exemption of this position.”

¹ This position is currently 4d(3) exempt; however, in Commission Staff’s opinion the most recent clarification indicated that more than 50% of the duties were different so Central Management Services was asked to submit an exemption request packet.

F. Illinois Department of Healthcare and Family Services – Proposed Exemption

Position Number	40070-33-00-010-00-21
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Deputy Director for Administrative Operations
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Proposed rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission (continued from August 21, 2009)

On July 17, 2009, the Executive Director sent notice to Central Management Services and each agency of the proposed rescission of the following 4d(3) exempt positions which may no longer meet the requirements for exemption. Rule 11(c) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency. At the Civil Service Commission meeting of August 21, 2009, these rescissions were continued to the November 20, 2009 meeting.

Agenda Item	Agency	Position Number	Functional Title
G1	CMS	40070-37-80-100-01-02	Media Administrator
G2	CMS	40070-37-80-100-01-05	Media Administrator
G3	CMS	40070-37-80-100-01-07	Media Administrator
G4	CMS	40070-37-80-100-01-08	Media Administrator
G5	CMS	40070-37-80-100-00-01	Statewide Media Relations
G6	CEO	40070-42-10-000-05-01	Asst. Dep. Dir.-Economic Dev.
G7	CEO	40070-42-25-000-05-01	Asst. Dep. Dir.-Tourism
G8	CEO	40070-42-50-000-05-01	Asst. Dep. Dir.-Community Dev.
G9	CEO	40070-42-60-000-05-01	Asst. Dep. Dir.-Tech & Industry
G10	CEO	40070-42-70-000-05-01	Asst. Dep. Dir.-Energy & Recycling
G11	DHS	40070-10-00-000-84-01	Executive Assistant to the Secretary
G12	DHS	40070-10-11-200-00-01	Chief, Recruitment & Selection
G13	DHS	40070-10-12-100-00-01	Special Management Assistant

H. Proposed rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission

Agenda Item	Agency	Position Number	Functional Title
H1	AG	40070-11-01-000-00-02	Statewide Project Mgr. for Economic Dev. Initiatives
H2	AG	40070-11-01-800-00-01	State Purchasing Officer
H3	AG	40070-11-40-000-00-01	Manager, Agr. Industry Reg.
H4	CMS	40070-37-13-000-00-01	BCCS-Telecommunications Manager
H5	CMS	40070-37-16-450-00-01	BCCS-Info. Technology
H6	CMS	40070-37-60-000-01-16	Property Mgmt.-Info. Tech. Administrator
H7	DOC	40070-29-05-000-00-02	Deputy Director, Parole Operations & Security
H8	DOC	40070-29-11-000-00-01	Deputy CFO & Administrator
H9	DOC	40070-29-20-111-10-01	Assistant Sup. Jessie "Ma" Houston ATC
H10	DOC	40070-29-20-213-10-01	Assistant Sup. Peoria ATC
H11	DOC	40070-29-64-200-00-01	Asst. Warden of Programs-Thomson
H12	DOC	40070-29-64-300-00-01	Asst. Warden of Operations-Thomson
H13	DOC	40070-29-82-200-00-01	Asst. Warden of Programs-Stateville
H14	DOC	40070-29-86-200-00-01	Asst. Warden of Programs-Vienna
H15	DOC	40070-29-96-300-00-01	Asst. Warden of Operations-Shawnee
H16	DOC	40070-29-99-200-00-01	Asst. Warden of Programs-Western IL
H17	CJIA	40070-50-05-500-00-01	Chief Information Officer
H18	FPR	40070-13-20-400-00-01	Credit Unions
H19	FPR	40070-13-40-932-00-01	Chief, Business Prosecutions
H20	HFS	40070-33-05-000-00-61	Chief, Healthcare Purchasing
H21	HPA	40070-48-00-000-00-01	Deputy Director
H22	DHR	40070-49-30-000-00-01	Manager of Compliance Prog.
H23	DHS	40070-10-76-000-30-01	Manager-Administrative Services Organization Contracts
H24	INS	40070-14-20-000-00-01	Deputy Director-Workers' Comp. Fraud
H25	INV	40070-50-95-000-00-01	Deputy Director
H26	DJJ	40070-27-17-300-00-01	Asst. Warden of Operations-IYC Chicago
H27	DJJ	40070-27-20-200-00-01	Asst. Warden of Programs-Harrisburg
H28	DJJ	40070-27-50-300-00-01	Asst. Warden of Operations-Pere Marquette
H29	DNR	40070-12-04-000-00-01	Executive Director, World Shooting Complex
H30	IPCB	40070-50-80-000-00-01	Executive Director

Agenda Item	Agency	Position Number	Functional Title
H31	DPH	26404-20-50-000-00-02	Deputy Director, Health Protection
H32	DOR	40070-25-00-100-40-01	Deputy Director
H33	DOR	40070-25-10-100-00-01	Administrator-Chicago Admin/Financial Services Programs
H34	DOR	40070-25-50-000-00-01	Manager, Tax Enforcement
H35	DOR	40070-25-90-000-01-01	Associate Director
H36	DOR	40070-25-90-200-10-01	Deputy Director, Events/Sponsorships
H37	WCC	40070-50-37-200-00-01	Assistant Secretary

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Division Chief for Disaster Planning & Readiness**
- D: Deputy Director for Clinical Operations for the Division of Mental Health**
- E: General Counsel for Illinois Labor Relations Board (see footnote on page 4)**
- F: Deputy Director for Administrative Operations**

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- G1: Media Administrator, Central Management Services**
- G2: Media Administrator, Central Management Services**
- G3: Media Administrator, Central Management Services**
- G4: Media Administrator, Central Management Services**
- G5: Statewide Media Relations, Central Management Services**
- G6: Assistant Deputy Director-Economic Development**
- G7: Assistant Deputy Director-Tourism**
- G8: Assistant Deputy Director-Community Development**
- G9: Assistant Deputy Director-Technology & Industrial Competitiveness**
- G10: Assistant Deputy Director-Energy & Recycling**
- G11: Executive Assistant to the Secretary, Department of Human Services**
- G12: Chief, Recruitment & Selection, Department of Human Services**
- G13: Special Management Assistant, Department of Human Services**

- H1: Statewide Project Manager for Economic Dev. Initiatives, Agriculture**
- H2: State Purchasing Officer, Agriculture**
- H3: Manager, Agriculture Industry Reg., Agriculture**
- H4: BCCS-Telecommunications Manager, CMS**
- H5: BCCS-Information Technology, CMS**
- H6: Property Management-Information Technology Administrator, CMS**

- H7: Deputy Director, Parole Operations & Security, DOC**
- H8: Deputy CFO & Administrator, DOC**
- H9: Assistant Superintendent, Jessie “Ma” Houston ATC, DOC**
- H10: Assistant Superintendent, Peoria ATC, DOC**
- H11: Assistant Warden of Programs-Thomson, DOC**
- H12: Assistant Warden of Operations-Thomson, DOC**
- H13: Assistant Warden of Programs-Stateville, DOC**
- H14: Assistant Warden of Programs-Vienna, DOC**
- H15: Assistant Warden of Operations-Shawnee, DOC**
- H16: Assistant Warden of Programs-Western Illinois**
- H17: Chief Information Officer, Criminal Justice Information Authority**
- H18: Credit Unions, Financial and Professional Regulation**
- H19: Chief, Business Prosecutions, Financial and Professional Regulation**
- H20: Chief, Healthcare Purchasing, Healthcare and Family Services**
- H21: Deputy Director, Historic Preservation Agency**
- H22: Manager of Compliance Programs, Department of Human Rights**
- H23: Manager-Admin Services Organization Contracts, Human Services**
- H24: Deputy Director-Workers’ Compensation Fraud, Department of Insurance**
- H25: Deputy Director, Investment Board**
- H26: Assistant Warden of Operations, IYC Chicago, Juvenile Justice**
- H27: Assistant Warden of Programs-Harrisburg, Juvenile Justice**
- H28: Assistant Warden of Operations-Pere Marquette, Juvenile Justice**
- H29: Executive Director, World Shooting Complex, Natural Resources**
- H30: Executive Director, Pollution Control Board**
- H31: Deputy Director, Health Protection, Public Health**
- H32: Deputy Director, Revenue**
- H33: Administrator-Chicago Administrative/Financial Services, Revenue**
- H34: Manager, Tax Enforcement, Revenue**
- H35: Associate Director, Revenue**
- H36: Deputy Director, Events/Sponsorships, Revenue**
- H37: Assistant Secretary, Workers’ Compensation Commission**

V. CLASS SPECIFICATIONS

The following class titles were submitted for creation and revision by the Director of Central Management Services:

Position Titles:

- | | |
|---|---|
| Police Lieutenant (revise) | Shift Supervisor (create) |
| Clinical Services Supervisor (create) | Forensic Science Administrator 1 (create) |
| Juvenile Justice Chief of Security (create) | Forensic Science Administrator 2 (create) |

Classification Analysis: “Effective 06/08/2007, some PSA option 7 positions in the Departments of Corrections, Juvenile Justice and State Police were certified by the Illinois Labor Relations Board (ILRB) as being subject to collective bargaining and represented by the Illinois State Employees’ Association (ISEA); on 07/10/2007, the Police Lieutenant class was certified by the ILRB as also being represented by ISEA.

Both of these groups were included in bargaining unit VR-704. Most of the positions in these two groups serve as line supervisors of subordinate staff and perform such functions as: assigning and reviewing work, counseling staff concerning work performance, approving time off, adjusting first level grievances, effectively recommending and imposing discipline, preparing and signing performance evaluations. During negotiations it was agreed that CMS should conduct a class study of the groups and revise classes or develop new classes, as appropriate. Accordingly, the Police Lieutenant class has been revised to reflect the professional background necessary to perform the work.

For the Public Service Administrator (PSA) option 7 positions, it was decided that some classes should be recreated, in modified form, and new classes developed in order to more accurately portray the functions/work roles performed by incumbents, instead of being classified to the much broader and nonspecific PSA. Accordingly, 5 different classes were created to reflect the various work roles.

The Clinical Services Supervisor supervises a multidisciplinary professional staff engaged in providing counseling and guidance services to residents or students in a correctional or juvenile justice facility, performs independent research on new treatment methods and techniques, and implements counseling and guidance policies and procedures for the facility or center. This class is a modification of the former Correctional Clinical Services Supervisor class that was reclassified into the PSA on 11/17/1994.

The Shift Supervisor directs all Correctional Lieutenants, Correctional Sergeants and Correctional Officers in the facility on a shift and is in sole charge of the facility in the absence of persons higher in the organizational structure. This class is a combination of the abolished classes of Chief of Security 1-2 and Correctional Captain.

The Juvenile Justice Chief of Security supervises subordinate staff on a shift, including Juvenile Justice Supervisors and Juvenile Justice Specialists. This class is an outgrowth of the former Chief of Security 1-2 classes.

The Forensic Science Administrator 1-2 classes were derived from the previous Forensic Science Administrator, which was subsumed by the PSA on 11/17/1994. The Forensic Science Administrator 1 supervises the daily operations of a single specialty section of Forensic Scientists. In contrast, the Forensic Science Administrator 2 has 6 work roles that are considered to reside at a higher level than the work of the 1 level:

- Supervisor of Forensic Scientists in more than one specialty section
- State-wide DNA Technical Leader
- Health & Safety Coordinator for the Forensic Science Center”

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- “Training instructor of a major law enforcement forensic science system discipline
- State-wide research coordinator of a major law enforcement forensic science system discipline
- Responsible for an entire laboratory or a specific field/specialty encompassing the state.”

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE DECEMBER 1, 2009?

Police Lieutenant (revise)

Clinical Services Supervisor (create)

Juvenile Justice Chief of Security (create)

Shift Supervisor (create)

Forensic Science Administrator 1 (create)

Forensic Science Administrator 2 (create)

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. **MOTION TO GO INTO EXECUTIVE SESSION**

PURSUANT TO SUBSECTIONS 2I(1), 2I(4), AND 2I(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	9/30/09	10/31/09	10/31/08
Aging	1	1	0
Agriculture	5	4	2
Central Management Services	0	1	2
Children and Family Services	7	11	2
Employment Security	8	6	1
Healthcare and Family Services	6	4	12
Historic Preservation	1	1	0
Human Services	4	1	2
Investment Board	0	0	1
Natural Resources	32	36	7
Property Tax Appeal Board	0	0	0
State Fire Marshal	1	1	0
State Police	0	0	1
State Retirement Systems	0	0	1
Transportation	6	11	6
Veteran's Affairs	0	0	5
Workers' Compensation Commission	0	0	6
Totals	71	77	48

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• **RULE VIOLATIONS**

RV-7-09, RV-28-09, and RV-29-09²

Employee	Britt Weatherford	Appeal Date	08/12/08 - 01/22/09
Agency	HFS	Decision Date	10/27/09
Type	Rule Violation	ALJ	Andrew Barris
Allegations	Violations of Personnel Code and Rules regarding hiring, salary, over-time compensation, performance evaluation, and retaliation	Proposed Finding	No violation of Personnel Code and Rules.

• **DECLARATORY RULING**

DR-12-09

Employee	Britt Weatherford	Appeal Date	09/23/08
Agency	HFS	Decision Date	10/27/09
Type	Declaratory Ruling	ALJ	Andrew Barris
Ruling Requested	To be allowed union representation at his performance evaluation	Proposed Finding for Declaratory Ruling	Request for declaratory ruling is denied.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDINGS IN THE ABOVE MATTERS?

• **RULE VIOLATION**

RV-35-09

Employee	DeMarco Nichols	Appeal Date	04/03/08
Agency	DOT	Decision Date	10/27/09
Type	Rule Violation	ALJ	Andrew Barris
Allegations	Violation of Personnel Code and Rules regarding administrative leave and discharge	Proposed Finding	No violation of Personnel Code and Rules.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSED FINDING IN THE ABOVE MATTER?

² RV-7-09, RV-28-09, and RV-29-09 were consolidated on May 5, 2009

X. APPEALS DISPOSED OF WITHOUT DECISION ON THE MERITS

• **DISMISSED**

DA-40-09

Employee	Kerrie Petzo	Appeal Date	05/26/09
Agency	CMS	Decision Date	11/05/09
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Failure to complete audits; failure to provide status updates on audits after receiving direction; unauthorized absences	Recommended Decision	Dismissed subject to Commission approval; withdrawn (settled).

DA-7-10

Employee	Rockeya L. Robinson	Appeal Date	09/08/09
Agency	DHS	Decision Date	10/19/09
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct unbecoming; tardiness	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

S-14-10

Employee	Corey D. Gray	Appeal Date	10/29/09
Agency	DHS	Decision Date	11/06/09
Type	Suspension	ALJ	Daniel Stralka
Charge(s)	Refusal to work mandatory overtime	Recommended Decision	Dismissed subject to Commission approval; withdrawn.

DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISIONS IN THE ABOVE MATTERS?

XI. AMENDMENTS TO THE PERSONNEL RULES

Section 302.514 Notice of Temporary Layoff

Notice of temporary layoff shall be served on the employee by the agency ~~30~~^{ten} working days in advance of the effective date unless extraordinary operating conditions or events preclude such advance notice.

Section 302.520 Indeterminate Layoff Procedure

- a) An operating agency may request the indeterminate layoff of an employee because of lack of funds, material change in duties or organization or lack of work or the abolition of a position for any of these reasons. Based on class, option, agency, county or other designation, an indeterminate layoff shall be within organizational units justified by operations and approved prior to the layoff by the Director.

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Section 302.530 Order of Layoff

- a) The following order shall be observed in making an indeterminate layoff:
- 1) No certified, probationary, or provisional employee may be laid off until all exempt, temporary, and emergency employees in the same class, option and the approved layoff organizational unit are terminated;
 - 2) No certified or probationary employee may be laid off until all provisional employees in the same class, option and the approved layoff organizational unit are terminated;
 - 3) No certified employee may be laid off until all probationary employees in the same class, option and the approved layoff unit are laid off.
 - 4) Certified employees will be laid off in reverse order of continuous service in the same class, option and approved layoff unit.

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Section 302.540 Effective Date of Layoff

Merit compensation system/broad-banded employees subject to layoff shall be given 30 days notice of the layoff by the employing agency. A list of all current non-bargaining unit vacancies of all positions within the agency shall be provided to the merit compensation system/broad-banded employee with the notice of layoff. If any bargaining unit vacancy remains after all contractual obligations are fulfilled, those bargaining unit vacancies may be offered to non-bargaining unit staff to minimize the impact of the layoff.

Vacancy for any employee subject to layoff is defined as the current, funded, vacant position which management has the present intention to fill.

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Section 302.545 Filling of Vacancies by Merit Compensation System/Broad-Banded Employees Subject to Layoff via Transfer

Each merit compensation system/broad-banded employee who is subject to layoff shall be offered any vacant positions for the same title held by that employee within the same agency and county from which the employee is subject to layoff and within two

additional alternate counties designated by the employee. In the event the employee's facility or office is closing, the employee may designate one additional alternate county, for a total of four counties. In no event shall such vacancies include positions that are subject to collective bargaining, unless those bargaining unit vacancies remain after all contractual obligations have been fulfilled. Temporary, emergency, and provisional employees shall not be granted a transfer request pursuant to Section 302.450.

Section 302.550 Employee Opportunity to Seek Voluntary Reduction or Lateral Transfer

A certified employee as defined in Section 302.530 who is subject to indeterminate layoff as a result of the Director's approval of a layoff plan shall be promptly notified 30 days prior to thereof of the effective date of layoff, and shall then be advised of the opportunity to request voluntary reduction to a current vacant position in accordance with Section 302.500 or lateral transfer to a current vacant position having the same maximum permissible salary or rate in accordance with Section 302.410 or 302.435 within the agency. An employee seeking voluntary reduction must request such in writing to the head of the employing agency prior to the proposed effective date of layoff.

Section 302.560 Order of Preference in Voluntary Reduction or Lateral Transfer

- ...
- b) Or, in the event a certified employee requests a lateral transfer as a result of his/her pending indeterminate layoff, the certified employee shall be preferred for any current vacant position whose classification has the same maximum permissible salary or rate within the same agency over any probationary or provisional employee, any employee or applicant on an eligible list for such vacant position, any certified employee subject to layoff having lesser continuous service and any certified employee requesting such lateral transfer who is not subject to layoff.

Section 302.570 Reemployment Lists

- a) Employees in Titles Subject to Collective Bargaining

The Department shall establish and maintain a reemployment list, by class, option, ~~and~~ agency and county, or other designated geographical area approved by the Director before layoff. A certified employee, ~~except those who are in the Senior Public Service Administrator or the Public Service Administrator classes who are covered by subsections (b) and (e) below,~~ who has been indeterminately laid off shall be placed in order of length of continuous service as defined in Section 302.190 on a reemployment list for recall to the first available assignment to a position in the class (or related classes with substantially similar requirements and duties), option, ~~and~~ agency, and county, or other designated geographical location or area in which the employee was assigned prior to being placed on the reemployment list. Where circumstances warrant, at the discretion of the Director, such reemployment list may be established by related classes and options whose duties are substantially similar to the class from which the employee was laid off.

b) Employees in Merit Compensation System/Broad-banded Titles

In the event no vacancies exist as described in Section 302.545, employees in merit compensation system/broad-banded titles shall be placed on the employing agency's reemployment list for 1) the title and option from which the employee was laid off; and 2) any other titles in which the employee was previously certified within the county from which the employee was laid off and within two additional alternate counties designated by the employee. In the event the employee's facility or office is closing, the employee may designate one additional alternate county, for a total of four counties. In no event shall such vacancies include positions that are subject to collective bargaining unless those bargaining unit vacancies remain after all contractual obligations have been fulfilled. Laid off employees shall remain on the reemployment list for three years, commencing with the effective date of layoff. Reemployment of merit compensation system/broad-banded employees to positions under term appointments is subject to the provisions of Section 302.825. Reemployment of merit compensation system/broad-banded employees to non-term appointment Senior Public Service Administrator and Public Service Administrator positions will be placed on the appropriate list for the identical classification and option designation for the position from which the employee was laid off. Certified employees who have been indeterminately laid off from the Senior Public Service Administrator or the Public Administrator classifications will be placed on the appropriate reemployment list for the Senior Public Service Administrator or the Public Service Administrator based on the classification and option designation for the position from which the employee was laid off. The employee shall be placed, in order of length of continuous service as defined in Section 302.190, on a reemployment list for recall to the first available assignment to a position in the class and option, agency, and county or other designated geographical location or area in which the employee was assigned prior to being placed on the reemployment list.

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Section 302.590 Removal of Names From Reemployment List

a) A laid off employee's name shall be removed from the reemployment list when:

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3) The employee's name has remained on the reemployment list for 3624 months;

...

Section 305.270 Extends Jurisdiction A, B and C (December 30, 2009)

Effective December 30, 2009, the Personnel Code Jurisdictions A, B and C will be extended to the Department of Central Management Service's Bureau of Communication and Computer Services positions performing work as network or systems engineers, managers, fiscal and support staff which were transferred into the Department from the Board of Higher Education's Illinois Century Network or information technology staff consolidated from the Illinois Department of Transportation.

With the exception of those employees who have already been determined qualified, the foregoing affected employees in the Bureau will be required to qualify within six months in the same kind of examination as those required for entrance examinations for comparable positions. All other appointments subsequent to December 30, 2009, will be made pursuant to provisions of the Illinois Personnel Code and the Rules of the Department of Central Management Services. No provision of this Section in any way affects the status of employees already holding certified status under the Illinois Personnel Code. All other provisions of the Illinois Personnel Code and Rules of the Department of Central Management Services will apply to the affected employees effective December 30, 2009.

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, December 18, 2009 at 11:00 a.m. in the Commission's Chicago office.

XIV. MOTION TO ADJOURN